

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

BRYAN H. B.,)	Civil Action No. 3:23-cv-01495-DNH-TWD
)	
<i>Plaintiff</i>)	
v.)	
)	
MARTIN J. O'MALLEY,)	
COMMISSIONER OF)	
SOCIAL SECURITY,)	
<i>Defendant</i>)	Stipulation – Document Filed Electronically

Consent Order for Payment of Fees under the Equal Access to Justice Act

IT IS HEREBY STIPULATED AND AGREED by the undersigned attorneys for the parties in the above-titled action that Plaintiff be awarded attorney fees and expenses under the Equal Access to Justice Act (EAJA) (28 U.S.C. § 2412) in the amount of **one thousand, three hundred and fifty-eight dollars and fifty-seven cents (\$1,358.57).**

The award of attorney fees will satisfy all of Plaintiff's claims for fees, costs, and expenses under 28 U.S.C. § 2412 in this case. Any fees paid belong to Plaintiff and not to his attorney and can be offset to satisfy pre-existing debt that Plaintiff owes the United States. *Astrue v. Ratliff*, 560 U.S. 586 (2010). After the Court enters this award, if Defendant can verify that Plaintiff owes no preexisting debt subject to offset, Defendant agrees to make the award payable to Plaintiff's attorney pursuant to the EAJA assignment signed by Plaintiff and counsel.

AND, the Court having reviewed the record in this
matter; IT IS on this 15th day of April , 2024;

ORDERED that Plaintiff be awarded fees under EAJA in the amount of **\$1,358.57**, and that the fees are payable to the Plaintiff, but if Plaintiff does not owe a debt subject to offset, payable to Plaintiff's attorney.

ORDERED that the within matter is dismissed with prejudice.

The undersigned hereby consent to the form and entry of the within order.

Dated: April 12, 2024

Martin J. O'Malley,
Commissioner of
Social Security

By His Attorneys,

Carla B. Freedman,
United States Attorney

/s/ Geoffrey M. Peters

Geoffrey M. Peters
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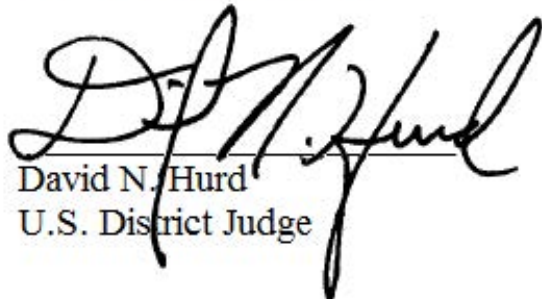
Bryan H. B.,

By His Attorney,

/s/ Justin M. Goldstein ¹

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IT IS SO ORDERED:



David N. Hurd
U.S. District Judge

Dated: 04-15-2024 _____

¹ Signed by SAUSA Peters with Mr. Goldstein's consent obtained via email on April 12, 2024.